GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES - Cooperation Department - Sri G.Satyanarayana Murthy, Assistant Registrar/SDLCO, Rajamahendravaram and liquidator of RPS CHBS – Departmental proceedings under Rule 9 of A.P. Revised Pension Rules,1980 - Article of Charge - Issued.

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AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt.No.26 Dated:10.01.2020

G.O.Ms.No.29, Agriculture & Cooperation (VIG.II) Department, dt:10.01.2020.

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O R D E R :-

In pursuance of the sanction accorded by the Government, under sub-clause (1) of clause (b) of sub-Rule (2) of A.P. Revised Pension Rules, 1980 for instituting departmental proceedings against Sri G.Satyanarayana Murthy (Retd.) vide reference read above. It is proposed to hold an inquiry against Sri G. Satyanarayana Murthy (Retd.) in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services(Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputation of misconduct or misbehavior in respect of which the Inquiry is proposed to be held is set out in the enclosed statement of Article of Charge. A statement of the imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-I). A list of documents by which, and a list of witnesses by whom, the Articles of Charge is proposed to be sustained are also enclosed (Annexure-II & III).

3. Sri G. Satyanarayana Murthy (Retd.) is directed to submit within (10) days of the receipt of this order, a written statement of his defence.

4. Sri G. Satyanarayana Murthy (Retd.) is further informed that, an enquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri G. Satyanarayana Murthy (Retd.) is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rules 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991, or the orders / directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him ex-parte.

6. The receipt of G.O. shall be acknowledged.

(BY THE ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

To
Sri G. Satyanarayana Murthy (Retd.) (through the Commissioner for Cooperation & Registrar of Cooperative Societies, Andhra Pradesh, Guntur.).

Copy to:-
The Commissioner for Cooperation & Registrar of Cooperative Societies, Andhra Pradesh, Guntur.

//FORWARDED BY ORDER//

SECTION OFFICER

[Annexure to G.O.Rt.No.26, A&C(Vig.II) Dept., Dt:10.01.2020]

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI G. SATYANARAYANA MURTHY, ASSISTANT REGISTRAR/ SUB-DIVISIONAL COOPERATIVE OFFICER, RAJAMAHENDRAVARAM UNDER THE CONTROL OF THE DIVISIONAL COOPERATIVE OFFICER, RAJAMAHENDRAVARAM.

ARTICLE OF CHARGE NO.1

"That the said Sri G. Satyanarayana Murthy, Assistant Registrar/Sub-Divisional Cooperative Officer, Rajamahendravaram and former liquidator of the Rajahmundry Public Servants Cooperative Building Society Ltd., Rajahmundry has failed to follow the opinion vide Lr.No.OPN/2013/NJS/Coop & Agrl/2012, dated: 24.04.2013 of the Government Pleader for Cooperation, HHC of Andhra Pradesh, Hyderabad."

BASIS OF THE CHARGE:

The Rajahmundry Public Servants Cooperative Building Society Ltd., Rajahmundry was ordered for liquidation in the year 1993 and the Liquidator was appointed by the then Divisional Cooperative Officer, Rajahmundry later the extension of the liquidation process is done from time to time. Subsequently the Commissioner for Cooperation and Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad vide Express Memo Rs.No.20734/2012/Liq.II(b), dated:02.07.2013 directed the District Cooperative Officer, Kakinada and the Divisional Cooperative Officer, Rajahmundry to appoint Sri G. Satyanarayana Murthy, Assistant Registrar as the Liquidator of the Rajahmundry Public Servants Cooperative Building Society Ltd., Rajahmundry as he is having knowledge about the whole issue relating to said society. Accordingly, the then Deputy Registrar of Cooperative Societies, Rajahmundry vide Prc.Rc.No.1589/2013-D1, dated 03.07.2013 appointed Sri G. Satyanarayana Murthy, Assistant Registrar as the Liquidator of the Rajahmundry Public Servants Cooperative Building Society Ltd., Rajahmundry under the provisions of section 64(1) and 65 of APCS Act 1964.

The Commissioner for Cooperation and Registrar of the Cooperative Societies, Andhra Pradesh, Hyderabad vide memo Rc.No.20374/2012/Liq-II(B), dated 17.12.2013 communicated the legal opinion of the Government Pleader vide Lr.No.OPN/2013/NJS/Coop & Agrl/2012 dated 24.04.2013 regarding the follow up action to be taken to redress the grievances of public in the absence of the records of the society relating to the claims and petitions of the public and the liquidator Sri G. Satyanarayana Murthy, Assistant Registrar instructed to follow that same. But the liquidator failed to follow the opinion of the Government Pleader before proceeding for registration. Firstly the liquidator failed in obtaining certified copies of the relevant sale deed to know the particulars of boundaries. Secondly the liquidator did not verify whether the allotters were the members of the society or not and whether the plots were free from encumbrances or not. Hence the charge.

ARTICLE OF CHARGE NO.2:

"That Sri G.Satyanarayana Murthy, Assistant Registrar/Sub-Divisional Cooperative Officer, Rajamahendravaram and former liquidator of the Rajahmundry Public Servants Cooperative Building Society Ltd., Rajahmundry acted hastily against the direction of the Commissioner for Cooperation and Registrar of the Cooperative Societies, Andhra Pradesh, Hyderabad U/s 4(2) of the APCS Act, 1964 vide Rc.No.16438/2000/ Housing, dated 07.06.2000" and he allotted more than one plot to three members as against the Act.

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[Annexure to G.O.Rt.No.26, A&C(Vig.II) Dept., Dt:10.01.2020]

BASIS OF THE CHARGE:

The then Divisional Cooperative Officer, Rajahmundry appointed Sri G. Satyanarayana Murthy, Assistant Registrar as the liquidator of the Rajahmundry Public Servants Cooperative Building Society Ltd., Rajahmundry dated 03.07.2013 as per the instructions issued by the Commissioner for Cooperation and Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad vide Express Memo Rs.No.20734/2012/Liq.II(b), dated:02.07.2013 under the provisions of section 64(1) and 65 of APCS Act 1964.

The sec.4(2) direction relating to cooperative housing societies issued by the Commissioner for Cooperation and Registrar of Cooperative Societies, Andhra Pradesh vide Proc Rc.No.16438/2000/Housing (1), Dated:07.06.2000, wherein it was directed that "before admitting any person as member, the society shall obtain a sworn affidavit on non-judicial paper that he has not own any house/house site in the area of operation of the society in his name or in the name of his family members" i.e., the pre-requisite for a person to be admitted as a member to any cooperative house building society is that he/she should not have a house site/house. **Hence more than one plot cannot be registered to any member.** The Liquidator allotted more than one plot, to three individuals. Even if the pervious managing committee allotted more than one plot to the same person, the liquidator has to report the matter to the superiors and can obtain directions for further action but the liquidator Sri G. Satyanarayana Murthy, Assistant Registrar has registered plots against the provisions. Hence the charge.

ARTICLE OF CHARGE NO.3:

"That Sri G.Satyanarayana Murthy, Assistant Registrar/Sub-Divisional Cooperative Officer, Rajamahendravaram and former liquidator of the Rajahmundry Public Servants Cooperative Building Society Ltd., Rajahmundry failed to obtain certified copies of relevant sale deeds to know the particulars of boundaries etc.,"

BASIS OF THE CHARGE:

The then Divisional Cooperative Officer, Rajahmundry appointed Sri G. Satyanarayana Murthy, Assistant Registrar as the liquidator of the Rajahmundry Public Servants Cooperative Building Society Ltd., Rajahmundry on dated: 03.07.2013 as per the instructions issued by the Commissioner for Cooperation and Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad vide Express Memo Rs.No.20734/2012/Liq.II(b), dated 02.07.2013 under the provisions of section 64(1) and 65 of APCS Act 1964.

The Government Pleader for Cooperation in opinion dated: 24.04.2013 clearly suggested to apply for certified copies of the relevant sale deeds to know the particulars of boundaries and to verify the claim for membership and then only register plots to members if the land is vacant and free from encumbrances. But the liquidator Sri G.Satyanarayana Murthy, Assistant Registrar failed to obtain the confirmation from the SRO whether the plot proposed to be registered by him was encumbrance free or not and failed to obtain certified copies of the relevant sale deeds to know the boundaries etc., also failed to insist for production of proof of membership and allotment from the claimants. Hence the charge.

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ARTICLE OF CHARGE NO.4:

"That Sri G.Satyanarayana Murthy, Assistant Registrar/Sub-Divisional Cooperative Officer, Rajamahendravaram and former liquidator of the Rajahmundry Public Servants Cooperative Building Society Ltd., Rajahmundry registered the plots basing on two different layout plans".

BASIS OF THE CHARGE:

The then Divisional Cooperative Officer, Rajahmundry appointed Sri G. Satyanarayana Murthy, Assistant Registrar as the liquidator of the Rajahmundry Public Servants Cooperative Building Society Ltd., Rajahmundry on dated 03.07.2013 as per the instructions issued by the Commissioner for Cooperation and Registrar of Cooperative Societies, Andhra Pradesh, Hyderabad vide Express Memo Rs.No.20734/2012/Liq.II(b), dated:02.07.2013 under the provisions of section 64(1) and 65 of APCS Act 1964.

The Assistant Registrar/Sub-Divisional Cooperative Officer, Rajamahendravaram, former liquidator has deposed to the then Divisional Cooperative Officer, Rajahmundry on during the course of petition enquiry that in the absence of original record, blueprint submitted by the applicants had to be considered the plan marked as exhibit A-1 in Sub-ordinate Judge court in O.S.No.88/71 also cannot be ignored. As such, he had taken into consideration the two plans and proceeded further and registered plot no.220 to two different persons in two survey number i.e., 1) As per exhibit A-1 in OS 88/74, plot nso.220 was located in RS.no.134 and the same regarding to Yagagani Rama Ratnam on 09.12.2013. 2) As per the blue print, plot no.220 was located in Rs.no.114 and registered to Dasari Survara john Ratnam on 30.06.2014.

He accepted documents without verifying the base facts and registered the same plot in two different survey numbers to two persons. Hence the charge.

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

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[Annexure to G.O.Rt.No.26, A&C(Vig.II) Dept., Dt:10.01.2020]

ANNEXURE-II

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI G.SATYANARAYANA MURTHY(RTD) THE THEN ASSISTANT REGISTRAR/SUB-DIVISIONAL COOPERATIVE OFFICER, RAJAMAHENDRAVARAM ARE PROPOSED TO BE SUSTAINED.

1. Exp memo Rc.No.20374/2012/Liq.II(b)dated:02.07.2013 of the Commissioner for Cooperation and Registrar of Cooperative Societies, Andhra Pradesh, Guntur
2. Proc Rc.No. 1589/2013/D1, Dated:03.07.2013 of the Divisional Cooperative Officer, Rajamahendravaram.
3. Memo. Rc.No. 20374/2012/Liq.II(B), dated:17.12.2013 of the Commissioner for Cooperation and Registrar of Cooperative Societies, Andhra Pradesh, Guntur
4. Legal advice dated:24.04.2013 of the Government Pleader for Cooperation, HHC of Andhra Pradesh, Hyderabad.
5. G.O.Rt.No.603 A&C (Coop.III) dept, dated:03.10.2017
6. Petition dated:07.09.2017 of Sri Katta Satyanarayana and 4 other members of the Rajahmundry Public Servants Cooperative Building Society Ltd., No.B.144, Rajahmundry.
7. Letter Rc.No.1589/2013/D1, Dated:17.11.2017 of the Divisional Cooperative Officer, Rajamahendravaram
8. Memo Rc.No.1376/2004 G, Dated: 23.02.2018 of the District Cooperative Officer, Kakinada.

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

ANNEXURE-III

List of witness by whom the articles of charge framed against Sri G. Satyanarayana Murthy(Rtd) the then Assistant Registrar/Sub-Divisional Cooperative Officer, Rajamahendravaram are proposed to be sustained.

1. Divisional Coop. Officer, Rajamahendravaram

Y MADHUSUDHANA REDDY
SPECIAL SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER